

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

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| UNITED STATES OF AMERICA | § | |
| | § | |
| VS. | § | MAGISTRATE ACTION NO. C-10-657 |
| | § | |
| JOHN EVERETT MAZZARISI | § | |

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

- (1) There is a serious risk that the defendant will not appear for court as required; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant is substantial. The defendant admitted he was being paid to transport undocumented aliens. The findings and conclusions contained in the Pretrial Services Report are adopted. The defendant's background information has not been verified and the defendant has not produced an appropriate co-surety or third party custodian. He spends half of his time living in Mexico with his wife, a Mexican citizen. If the defendant's background information is verified and he can produce a significant cash deposit and an appropriate co-surety, the issue of bond will be reconsidered.

The defendant is committed to the custody of the Attorney General or his

designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 22nd day of June, 2010.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE